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Attorneys for Debtor Shamicka Lawrence

UNITED STATE BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re	)	Case No. 6:23-bk-15163-WJ
SHAMICKA LAWRENCE,)	
	)	Chapter 7
Debtor.)	
	)	DEBTOR'S OPPOSITION TO
	)	CHAPTER 7 TRUSTEE'S MOTON FOR
	)	ORDER COMPELLING DEBTOR AND
	)	ANY OTHER OCCUPANTS TO
	)	VACATE AND TURN OVER REAL
	)	PROPERTY BY MAY 15, 2024; AND
	)	AUTHORIZING ISSUANCE OF WRIT
	)	OF ASSISTANCE; DECLARATIONS
	)	OF SHAMICKA LAWRENCE AND
	)	MARC A. LIEBERMAN IN SUPPORT

Hearing:

Date: April 30, 2024
Time: 1:00 p.m.
Location: Ctrm 304
3420 Twelfth Street,
Riverside, CA 92501

For the reasons set forth in Debtor's Declaration Re Chapter 7 Trustee's Motion for
Order Compelling Debtor to Vacate and Turn Over Real Property by May 15, 2024,

1 Debtor requests that she be permitted to remain at her homestead Property through at least
2 May 31, 2024.

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4 DATED: April 16, 2024

FLP LAW GROUP LLP

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6 By: 

7 Marc A. Lieberman, Esq.
8 Alan W. Forsley, Esq.
9 Attorneys for Debtor Shamicka Lawrence
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DECLARATION OF SHAMICKA LAWRENCE

I, SHAMICKA LAWRENCE, declare as follows:

1. I am the debtor in the above-captioned bankruptcy case. I have personal knowledge of the facts set forth herein, and, if called to testify, could and would competently testify thereto.

2. Since 2012, I have resided at 11364 Estates Court, Riverside, CA, 92503 (the "**Property**"). I live at the Property with my husband Antwuan Hill ("**Antwuan**"), my elderly mother, my brother, and my two (2) daughters.

3. Antwuan owns and operates a small business offering chauffeur services. Antwuan has informed me that he is unable to assist me and my family in packing up our belongings and moving until after May 15th because he is overwhelmed with his small business obligations. Due to my precarious health (described below), I am unable to substantially pack up much of our household goods and furnishings without Antwuan's assistance.

4. My mother is 71 years old, and has resided with me at the Property for over ten (10) years. She relies heavily on the RV garage at the Property for her storage—a majority of the possessions in which are hers, and I have been helping her pack these possessions to prepare for her move. She has been searching for a home to rent, and though she has submitted applications, she has been rejected due to her lack of income. As such, I am now trying to secure a co-signer for her to be able to apply for a new place without this obstacle. I cannot co-sign for her myself due to my insufficient income and my tarnished credit on account of my bankruptcy case. So at the same time that I have to pack up and vacate my home, I am assisting my mother in her own home search and helping her pack her possessions as well.

5. In regards to our household goods and furnishings, Antwuan and I contacted A1 Self Storage and Extra Space Storage for their availability and terms. These storage professionals informed me that a typical 4 bedroom home spanning approximately 1500

1 sq. ft. would require a 10 ft by 32 ft storage unit. Given that the Property is approximately
2 4x the size, at approximately 6000 sq. ft., the professionals at Extra Space Storage in
3 Glendale suggested that we will need at least three to four 10 ft x 32 ft units in order to
4 store our household goods and furnishings. We cannot afford to hire movers at this time,
5 and taking on this task entirely our own will be extremely difficult to accomplish by May
6 15th.

7 6. I am fully engaged in seeking a new house or condo to rent or purchase via
8 real estate marketplaces Zillow and Redfin. I have also been working with real estate agent
9 Brandi Khalsani ("**Brandi**") to find and tour properties that fit my family's needs. With
10 Brandi's help, I have toured over 20 properties and attended many open houses. More
11 specifically, I have been in contact with agent Arturo Lucero regarding the Pulte Homes
12 development in Riverside, agent Angela Wagner with the Landsea Homes in Fontana, and
13 agent Jason Schutz at the Bridle Ridge community in Riverside by Legacy Homes. I have
14 been unable to apply for any individual listing as I do not have the funds that I am relying
15 on receiving through my homestead exemption. I am repeatedly informed by the various
16 agents above that they are receiving many offers on their listings and they are unable to
17 wait for an application once I have the sufficient funds. Antwuan informs me that once he
18 is able to do so, after May 15th, he will take on the task of mortgage applications, as the
19 instant bankruptcy case and my tarnished credit prevents me from doing so myself.
20 Antwuan and I have been working on alternatives in the event that we cannot find
21 affordable housing in California, and are prepared to look elsewhere in Texas, Georgia,
22 and Tennessee once Antwuan is available to do so, after May 15th.

23 7. In 2011, I was diagnosed with systematic lupus erythematosus ("**Lupus**"), a
24 chronic autoimmune disease wherein my immune system mistakenly attacks healthy tissue
25 throughout my body. As a consequence of my Lupus, I have developed Sjören's syndrome,
26 chronic fatigue syndrome, and connective tissue disease, the latter of which can cause my
27 ribs to pop out. My Lupus symptoms are exacerbated by stress, leading to painful
28 inflammation, brain fog, vertigo, severe migraines which leave me bedridden until they

1 subside, and causing my back to lock up in great pain. Due to the toll that this bankruptcy
2 has taken on my physical, mental, and emotional health, I have been visiting my
3 rheumatologist regularly over the last few months to help treat my heightened stress-
4 induced symptoms and monitor my bloodwork to ensure my organs, particularly my
5 kidneys, are not affected. The Lupus markers in my recent bloodwork reflect that my
6 inflammation is high. My chronic fatigue causes my body to want to shut down on itself
7 and makes it difficult to breathe, which is especially scary for me when I am driving. As a
8 result of my physical condition, it has recently been difficult for me to get out of bed some
9 days, let alone tour multiple properties, or stare at my computer screen browsing listings
10 for too long. Antwuan is assisting me on tours when possible, but there is nothing I can do
11 but rest when these chronic fatigue symptoms arise, making the packing and moving
12 process all the more difficult.

13 8. On December 9th, 2023 the Trustee's broker, Brian Thompson ("**Broker**"),
14 visited the Property for the first time alongside the Trustee to tour the Property and take
15 initial photos. Since this first occasion, Broker has visited the Property approximately five
16 (5) times for open houses, the appraisal, and showings. On March 23, 2024, the date of the
17 second open house, the security cameras installed throughout the Property captured Broker
18 using his cellphone to videotape every corner of my home, including the contents of all of
19 the closets, rooms, and household goods and furnishings. Broker did not ask my
20 permission to do so. Despite claiming that he took these images in order to show me that
21 the Property was left in good condition after the open house, Broker never sent us any of
22 these images. This is significant, because despite the instant bankruptcy case having been
23 filed over five (5) months ago, the Trustee has not abandoned any of my household goods
24 and furnishings, and I do not yet know exactly what I can and cannot take with me as I
25 prepare to move out of the Property.

26 9. My family and I will continue to do everything in our power to secure new
27 housing, pack up our possessions, and vacate the Property. Given our financial situation
28 and the precarious state of my health, finding the adequate space, pricing, availability, and

1 strength to do so remains a daunting task. We are tasked with purging and packing 12
2 years' of personal belongings on our own. Nevertheless, with ample time to work our way
3 through these tasks, I believe my family and I will be able to complete this process by May
4 31st, 2024 in order to ensure a new buyer will be able to acquire the Property by close of
5 escrow.

6 I declare under penalty of perjury under the laws of the United States of America
7 and the State of California that the foregoing is true and correct.

8 Executed on this 16 day of April 2024, at Riverside, California.

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11 SHAMICKA LAWRENCE
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DECLARATION OF MARC A. LIEBERMAN

I, MARC A. LIEBERMAN, declare as follows:

1. I am a principal in the law firm of FLP Law Group LLP, attorney of record for debtor Shamicka Lawrence, ("**Debtor**") in the above-captioned bankruptcy case. I have personal knowledge of the facts set forth herein, and, if called to testify, could and would competently testify thereto.

2. On Friday April 5, 2024, I sent an email to Tinho Mang, attorney for chapter 7 trustee Arturo Cisneros ("**Trustee's Counsel**") in the instant case, requesting a move-out deadline of May 31st, 2024 for Debtor and her family to vacate the Property. Attached hereto as **Exhibit "1"** is our email correspondence.

3. On Monday, April 8, 2024, Trustee's Counsel responded to my email informing me that he would be filing a motion for move out on May 15th, 2024, and "[i]f the debtor consents to that date, great." Trustee's Counsel did not welcome any further discussion.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on this 16th day of April 2024, at Los Angeles, California.



MARC A. LIEBERMAN

EXHIBIT 1

From: Tinho Mang [<mailto:tmang@marshackhays.com>]
Sent: Monday, April 08, 2024 3:28 PM
To: Marc Lieberman
Subject: RE: Lawrence- May 31 move-out deadline?

Marc,

We'll be filing motion for move out on May 15. If the debtor consents to that date, great.

Tinho

From: Marc Lieberman <marc.lieberman@flpllp.com>
Sent: Friday, April 5, 2024 9:31 PM
To: Tinho Mang <tmang@marshackhays.com>
Subject: Lawrence- May 31 move-out deadline?

MARC A. LIEBERMAN, ESQ.
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[Los Angeles, CA 90067](#)
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

FLP LAW GROUP, LLP, 1875 Century Park East, Suite 2230, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **DEBTOR'S OPPOSITION TO CHAPTER 7 TRUSTEE'S MOTON FOR ORDER COMPELLING DEBTOR AND ANY OTHER OCCUPANTS TO VACATE AND TURN OVER REAL PROPERTY BY MAY 15, 2024; AND AUTHORIZING ISSUANCE OF WRIT OF ASSISTANCE; DECLARATIONS OF SHAMICKA LAWRENCE AND MARC A. LIEBERMAN IN SUPPORT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

I. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 16, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

II. **SERVED BY UNITED STATES MAIL**:

On **April 16, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Hahn Fife & Company
1055 E. Colorado Blvd #5
Pasadena, CA 91106

Brian Thompson
Winterstone Real Estate Development
23792 Rockfield Blvd., Ste. 101
Lake Forest, CA 92630

☐ Service information continued on attached page

III. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **April 16, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA FEDEX OVERNIGHT MAIL:

Chambers of the Hon. Wayne Johnson
United States Bankruptcy Court
3420 Twelfth Street, Suite 384
Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 16, 2024
Date

SAFA SALEEM
Printed Name


Signature

SERVICE LIST VIA NEF

- **Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com;ecf.alert+Cisneros@titlexi.com
- **Alan W Forsley** alan.forsley@flpllp.com, awf@fklawfirm.com,awf@fl-lawyers.net,addy@flpllp.com
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- **Tinho Mang** tmang@marshackhays.com,
tmang@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@ecf.courtdrive.com
- **United States Trustee (RS)** ustpreion16.rs.ecf@usdoj.gov